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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,871	01/23/2006	Jan Chipchase	878.0066.U1(US)	5294
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HARRINGTON & SMITH, PC 4 RESEARCH DRIVE SHELTON, CT 06484-6212			EXAMINER SYED, NABIL H	
			ART UNIT 2612	PAPER NUMBER
			MAIL DATE 01/14/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/518,871

Applicant(s)

CHIPCHASE ET AL.

Examiner

Nabil H. Syed

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08) ✓
Paper No(s)/Mail Date 07, 11/07, 12/21/04.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 20-26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wischerop et al. (5,955,951) in view of Kovesdi et al. (US Pub 2003/0155413).

As of claim 20, Wischerop discloses a system comprising a device comprising an RF tag inside a casing (via a tag device 28 comprising a RFID chip 64; see col. 5, lines 25-30 and col. 5, lines 56-60; also see fig. 3), and a RFID reader (via a detaching unit 26, including a control circuit 92, wherein in control circuit interrogates the tag 28; see col. 7, lines 53-65) including a docking means (operable upon tag 28 being docked in docking means to read the RF tag (via reader unit comprising a nesting area 84; see fig. 5; also see col. 7, lines 18-30).\

However Wischerop fails to disclose that RFID reader is incorporated in a user personal communication apparatus.

Kovesdi discloses a mobile personal device comprising a RFID reader which reads the information from the tags and perform an operation associated with RF tag (see paragraphs [0047], [0041] and [0017]).

From the teaching of Kovesdi it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Wischerop to include the reader inside a personal communication device as taught by Kovesdi in order to provide the personal communication apparatus (such as, cellular phones, PDA's etc.) with a diversity of information, and information receiving terminal therefor.

As of claim 21, Wischerop discloses reading of the RF tag can take place only when the device is docked into the docking means (via reader reading the tag 28 when it is placed in the nesting area 84 (see col. 7, lines 18-25).

As of claim 22, Wischerop discloses wherein reading of the RF tag can take place only when the device is docked into the docking means, and further pressure is applied to the casing by the user (Note: Wischerop discloses that when the tag 28 is placed inside the nesting area 84, and a mechanically actuatable switch 86 mounted in the nesting area is activated, hence user has to put some pressure to activate the switch; see col. 7, lines 18-25).

As of claim 23, Even though Wischerop discloses that RFID reader unit can comprise additional switches which actuate the reader it fails to explicitly disclose that nesting area can accommodate several devices simultaneously for reading. The Examiner takes official notice that it would have been obvious to one having ordinary

skill in the art at the time the invention was made since it is well known in the art that RFID reader can have multiple tags in the reading area simultaneously.

As of claim 24, Kovesdi discloses that the personal mobile device performs the operation requested by the devices

As of claim 25, Kovesdi discloses that a personal mobile device 207 reads the information from an object 201 comprising a tag 202 and provides various indexing operations such as content authoring, playback and feedback (see abstract; also see fig. 2).

As of claim 26, Wischerop discloses that the tag is docked into the resting area to actuate the switch 86. The Examiner takes official notice that it would have been obvious to one having ordinary skill in the art to use push and twist method to dock the tag 28, in order to make sure that the tag has been docketed properly.

As of claim 28, Kovesdi discloses a user's personal communication apparatus for use in a system as in Claim 20(via a mobile personal device 207; see fig. 12; also see paragraph [0047]).

3. Claims 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kovesdi et al. (US Pub 2003/0155413) in view of Wischerop (5,955,951).

As of claim 27, Kovesdi discloses that a user's hand held devices (personal communication apparatus) reads an RFID tag (a device) and when the content of the device matches with the stored content the hand held device performs the operation indicated by the read tag (see paragraph [0017], lines 4-19).

However Kovesdi fails to disclose that the device comprises a switch means by which the device can be switched between inactive mode to an active mode in which it can be read.

Wischerop discloses a tag 28, which comprises an RFID chip 64 functioning as a transponder. Wischerop discloses that the tag circuitry is passive, hence can be activated when being interrogated by the RFID reader and stay inactive in other conditions hence comprising a switch means to turn the device active and inactive.

From the teaching of Wischerop it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the tag device of Kovesdi to include switch means as taught by Wischerop so the tag does not require a battery (see col. 6, lines 1-3).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nabil H. Syed whose telephone number is 571-270-3028. The examiner can normally be reached on M-F 7:30-5:00 alt friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Zimmerman can be reached on (571)272-3059. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nabil H Syed
Examiner
Art Unit 2612

N.S


BRIAN ZIMMERMAN
SUPERVISORY PATENT EXAMINER